

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DAVID LEE LALACK,

04-CV-002-ST

Petitioner,

ORDER

v.

ROBERT LAMPERT,

Respondent.

NOEL GREFENSON

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BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#38) on January 13, 2006, in which she recommended this Court deny the Petition for Writ of Habeas Corpus (#1). The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#38). Accordingly, the Court **DENIES** the Petition for Writ of Habeas Corpus (#1) and **DISMISSES** this matter **with prejudice**.

IT IS SO ORDERED.

DATED this 13th day of March, 2006.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge